

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Hospital Licensing Act is amended by  
5 changing Section 3 as follows:

6 (210 ILCS 85/3)

7 Sec. 3. As used in this Act:

8 (A) "Hospital" means any institution, place, building,  
9 buildings on a campus, or agency, public or private, whether  
10 organized for profit or not, devoted primarily to the  
11 maintenance and operation of facilities for the diagnosis and  
12 treatment or care of 2 or more unrelated persons admitted for  
13 overnight stay or longer in order to obtain medical, including  
14 obstetric, psychiatric and nursing, care of illness, disease,  
15 injury, infirmity, or deformity.

16 The term "hospital", without regard to length of stay,  
17 shall also include:

18 (a) any facility which is devoted primarily to  
19 providing psychiatric and related services and programs  
20 for the diagnosis and treatment or care of 2 or more  
21 unrelated persons suffering from emotional or nervous  
22 diseases;

23 (b) all places where pregnant females are received,

1           cared for, or treated during delivery irrespective of the  
2           number of patients received.

3           The term "hospital" includes general and specialized  
4           hospitals, tuberculosis sanitarium, mental or psychiatric  
5           hospitals and sanitarium, and includes maternity homes,  
6           lying-in homes, and homes for unwed mothers in which care is  
7           given during delivery.

8           The term "hospital" does not include:

9                   (1) any person or institution required to be licensed  
10                  pursuant to the Nursing Home Care Act or the MR/DD  
11                  Community Care Act;

12                  (2) hospitalization or care facilities maintained by  
13                  the State or any department or agency thereof, where such  
14                  department or agency has authority under law to establish  
15                  and enforce standards for the hospitalization or care  
16                  facilities under its management and control;

17                  (3) hospitalization or care facilities maintained by  
18                  the federal government or agencies thereof;

19                  (4) hospitalization or care facilities maintained by  
20                  any university or college established under the laws of  
21                  this State and supported principally by public funds raised  
22                  by taxation;

23                  (5) any person or facility required to be licensed  
24                  pursuant to the Alcoholism and Other Drug Abuse and  
25                  Dependency Act;

26                  (6) any facility operated solely by and for persons who

1           rely exclusively upon treatment by spiritual means through  
2           prayer, in accordance with the creed or tenets of any  
3           well-recognized church or religious denomination;

4           (7) an Alzheimer's disease management center  
5           alternative health care model licensed under the  
6           Alternative Health Care Delivery Act; or

7           (8) any veterinary hospital or clinic operated by a  
8           veterinarian or veterinarians licensed under the  
9           Veterinary Medicine and Surgery Practice Act of 2004 or  
10          maintained by a State-supported or publicly funded  
11          university or college.

12          (B) "Person" means the State, and any political subdivision  
13          or municipal corporation, individual, firm, partnership,  
14          corporation, company, association, or joint stock association,  
15          or the legal successor thereof.

16          (C) "Department" means the Department of Public Health of  
17          the State of Illinois.

18          (D) "Director" means the Director of Public Health of the  
19          State of Illinois.

20          (E) "Perinatal" means the period of time between the  
21          conception of an infant and the end of the first month after  
22          birth.

23          (F) "Federally designated organ procurement agency" means  
24          the organ procurement agency designated by the Secretary of the  
25          U.S. Department of Health and Human Services for the service  
26          area in which a hospital is located; except that in the case of

1 a hospital located in a county adjacent to Wisconsin which  
2 currently contracts with an organ procurement agency located in  
3 Wisconsin that is not the organ procurement agency designated  
4 by the U.S. Secretary of Health and Human Services for the  
5 service area in which the hospital is located, if the hospital  
6 applies for a waiver pursuant to 42 USC 1320b-8(a), it may  
7 designate an organ procurement agency located in Wisconsin to  
8 be thereafter deemed its federally designated organ  
9 procurement agency for the purposes of this Act.

10 (G) "Tissue bank" means any facility or program operating  
11 in Illinois that is certified by the American Association of  
12 Tissue Banks or the Eye Bank Association of America and is  
13 involved in procuring, furnishing, donating, or distributing  
14 corneas, bones, or other human tissue for the purpose of  
15 injecting, transfusing, or transplanting any of them into the  
16 human body. "Tissue bank" does not include a licensed blood  
17 bank. For the purposes of this Act, "tissue" does not include  
18 organs.

19 (H) "Campus" and "location", as these terms apply to  
20 operations, have the same meaning as the term "campus" as set  
21 forth in federal Medicare regulations, 42 CFR 413.65.

22 (Source: P.A. 96-219, eff. 8-10-09; 96-339, eff. 7-1-10;  
23 96-1000, eff. 7-2-10.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.